

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TRUSTEES OF THE SUBURBAN TEAMSTERS )  
OF NORTHERN ILLINOIS WELFARE AND )  
PENSION FUNDS, )  
Plaintiffs, )  
v. ) No. 2012 C 10096  
TROUTMAN EXCAVATING, INC., )  
an Illinois corporation ) Judge Leinenweber  
Defendant. ) Magistrate Judge Finnegan

**MOTION FOR DEFAULT JUDGMENT IN SUM CERTAIN**

NOW COMES the Plaintiff, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUND, by and through its attorney, JOHN J. TOOMEY, ARNOLD AND KADJAN, and pursuant to FRCP 55 move for judgment in sum certain as stated in this Complaint and the supporting Affidavits attached hereto. In support of its Motion, Plaintiffs state as follows:

1. Suit was filed on December 19, 2012 for collection of delinquent contributions plus attorneys' fees, costs and interest under 29 U.S.C. 1132(g)(2) and to compel an audit.
2. Service upon TROUTMAN EXCAVATING, INC., an Illinois corporation was made on upon the Secretary of State on February 8, 2013, and a copy of the proof of service was filed with the court on February 18, 2013.
3. More than 21 days have passed without any response to the Complaint by Defendant, so that Defendant is now in default.

4. As supported by the attached Affidavits, the sums due on the Complaint are:

\$16,339.04 Pension audit  
\$19,779.50 Welfare audit  
\$925.00 Attorneys fees  
\$453.00 Court costs  
\$37,496.54

WHEREFORE, Plaintiffs pray for the entry of an order:

- A. Finding TROUTMAN EXCAVATING, INC., an Illinois corporation in default; and
- B. Awarding judgment in favor of Plaintiffs, TRUSTEES OF THE SUBURBAN TEAMSTERS OF NORTHERN ILLINOIS WELFARE AND PENSION FUNDS in the amount of \$37,496.54.

TRUSTEES OF THE SUBURBAN TEAMSTERS  
OF NORTHERN ILLINOIS WELFARE AND  
PENSION FUNDS

s/John J. Toomey  
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Dated: March 4, 2013